

# **FISCAL NOTE**

## **SB 374 - HB 1474**

February 28, 2003

**SUMMARY OF BILL:** Requires instruction in animal behavior be included in the basic training and in-service training for local law enforcement officers and members of the highway patrol. Extends statewide, provisions regarding liability for the death of a pet. Currently such provisions apply only in counties with a population in excess of 75,000. Specifies that any conviction for aggravated cruelty to animals is a Class E felony. Under current law, a first time conviction for aggravated cruelty to animals is a Class A misdemeanor. Specifies that a second or subsequent offense for cruelty to animals is a Class E felony. Under existing law, any conviction for cruelty to animals is a Class A misdemeanor.

### **ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - Not Significant**

**\$15,000 / Incarceration\***

**Increase Local Govt. Expenditures\*\* - Less than \$100,000 One-Time  
Not Significant- Recurring**

**Increase Local Govt. Revenues - Not Significant**

Estimate assumes:

- training in animal behavior will be incorporated into existing recruit training programs for the highway patrol and local law enforcement.
- a not significant increase in state expenditures to incorporate training in animal behavior into existing in-service training programs for supplies such as instructional manuals and video tapes.
- a one-time increase in local government expenditures of less than \$100,000 to initially provide training in animal behavior to local law enforcement. This increase includes the cost of supplies, the cost of a trainer, and officers' time.
- a not significant increase to incorporate such training into the annual in-service training course for local law enforcement.
- one felony conviction for aggravated cruelty to animals annually.
- two felony convictions annually for second or subsequent offenses of cruelty to animals.
- any increase in fines resulting from upgrading offenses to Class E felonies is estimated to be not significant.

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- Any decrease in local government expenditures or revenues from elevating offenses to a felony are estimated to be not significant. Local governments are responsible for incarceration expenses and receive fines from misdemeanors. The state is responsible for expenditures relating to incarceration involving felonies.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

*\*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director